



An  
Bord  
Pleanála

**Board Order**  
**ABP-317447-23**

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Wicklow County Council**

**Planning Register Reference Number: 23337**

**APPEAL** by Creatively Pacific Limited care of Manahan Town Planners, Town Planning Consultants of 38 Dawson Street, Dublin against the decision made on the 29<sup>th</sup> day of May 2023 by Wicklow County Council to refuse permission.

**Proposed Development:** The development will consist of a new Integrated Tourism / Leisure / Recreational (ITLR) complex comprising firstly, of a new two storey over lower ground level building; containing gym, sauna, cinema and outdoor pool (24 metres by 10 metres) at lower ground level, reception bar and restaurant washrooms and outdoor terrace at ground floor and event room at first floor, and secondly, it is proposed to install 48 number accommodation pods (21 square metres each) along the east of the site. It is proposed to construct a dedicated structure (92 square metres), located at the north end of the site adjacent the beach access, containing a surf school facility, public W.C and public showers. 49 number car parking spaces, including three number universal accessible spaces and set down area and 13 number bike parking spaces are proposed to serve ITLR facility. The existing pedestrian access from R750 will be widened to facilitate vehicular access and shall be barrier controlled. The proposal includes all associated works, excavation, engineering, SUDS, landscaping, fencing, bin stores and

road works. Enhancement and supplementation of existing planting is proposed along south and west boundaries to protect the existing ecology, all at Magheramore, County Wicklow. Existing public pedestrian access to the beach will remain unaffected, a Natura Impact Statement is included with this planning application.

## **Decision**

**REFUSE permission for the above proposed development in accordance with the reasons and considerations set out below.**

## **Reasons and Considerations**

1. The proposed development is located on unzoned land in a rural location which is designated as a Coastal Area of Outstanding Natural Beauty and where there is no existing tourism development or cluster. The requirement to locate the proposed development in this unique, scenic location has not been justified and the proposal does not contain a significant public element which would add to the public amenity and enjoyment of the area. As such, it is considered that the proposed development would fundamentally diminish the character of this coastal site. Thus, the proposed development would be contrary to Objective CPO 11.3, Objective CPO 11.4, Objective 17.35 and Objective CPO 19.23 of the Wicklow County Development Plan 2022-2028 and would be contrary to the proper planning and sustainable development of the area.
2. It is considered that the car parking provision for the proposed development, in particular the lack of sufficient on-site car parking spaces for employees and parking associated with the proposed surf school, would be significantly deficient and would be inadequate to cater for the parking demand generated by the proposed development, thereby leading to conditions which would be prejudicial to public safety

by reason of traffic hazard on the public road in the vicinity and which would tend to create serious traffic congestion.

3. It is considered that insufficient survey information has been undertaken as part of the Ecological Impact Assessment to demonstrate the impact of the proposed development on locally important natural habitats, species or wildlife corridors and to confirm that appropriate mitigation measures have been identified to ensure no significant impacts would arise on foot of the proposed development. As such, the proposed development would be contrary to Objective CPO 17.12 of the Wicklow County Development Plan 2022-2028 which seeks to protect non-designated sites from inappropriate development and would be contrary to Objective 17.14 of the development plan which seeks to ensure that development proposals support the protection and enhancement of biodiversity and ecological connectivity within the plan area. As such, the proposed development would be contrary to the proper planning and sustainable development of the area.
4. It is considered that insufficient information has been submitted in relation to the proposed extent of tree removal along the proposed access laneway within the site to assess the potential impacts of this removal and the widening of the laneway on the ecological and biodiversity value of this corridor. As such, the proposed development would be contrary to Objective CPO 17.14 of the development plan regarding the protection and enhancement of biodiversity and ecological connectivity within the plan area and Objective CPO 17.20 which discourages development that requires the felling of mature trees of environmental and/or amenity value, even though they may not have a Tree Preservation Order in place. Thus, the proposed development would be contrary to the proper planning and sustainable development of the area.

5. On the basis of the information provided with the application and appeal, including the Natura Impact Statement, and in light of the Stage 2 Appropriate Assessment undertaken, the Board cannot be satisfied that the proposed development alone would not be likely to have significant effects on Magherabeg Dunes Special Area of Conservation (Site Code 001766) in view of the site's conservation objectives, by reason of significant alterations to the hydrological regime on the site and the potential for resulting negative impacts to arise to qualifying interests of the Special Area of Conservation (petrifying springs with tufa formation) and the potential for negative impacts to habitats within the Special Area of Conservation on foot of increased human activity associated with the proposed development. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Eamonn James Kelly*

**Eamonn James Kelly**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**



Dated this *30<sup>th</sup>* day of *January* 2025.